

REMARKS

Claims 12-13, 23-24, 27-39 are now pending. Applicant has cancelled claims 1-11, 14-15, 17-22 and 25-26 herein, and has previously cancelled claim 16. Applicant has added new claims 27-39 herein.

Applicant notes that in the parent application, the Examiner issued a multiplicity rejection because the Examiner was of the opinion that Applicant had presented too many claims, and requested that Applicant limit the number of independent claims to three (3) and the number of dependent claims to twelve (12). As such, the Applicant herein has similarly attempted to limit the claims in a similar manner. Based on this Amendment, the total number of independent claims presented is four (4), and the total number of dependent claims is thirteen (13). Because of the complexity of the tool of the invention, Applicant contends that the presentation of these claims is necessary to effectively claim and protect the unique features and characteristics of the tool of the invention. The Applicant, however, reserves its right to file further continuation applications presenting further claims directed to the tool should the Applicant so desire.

Applicant has amended independent claim 12 such that a spring biases the pawl toward the plurality of teeth, and Applicant has made another minor amendment to independent claim 12.

Applicant has amended claim 13 to depend from independent claim 12 and to remove limitations which Applicant contends are unnecessary for allowance of dependent claim 13.

Applicant has made only a minor amendment to independent claim 23.

Applicant contends that claims 12-13 and 23-24 are allowable over the prior art of record and respectfully requests allowance of these claims.

Newly Added Claims

Applicant has added new claims 27-39 herein.

New claims 27-28 are dependent on independent claim 12 and, as Applicant is of the opinion that independent claim 12 is in condition for allowance, Applicant respectfully requests consideration and allowance of new claims 27-28.

In the parent application, the Examiner issued a first Office Action which rejected claims on the basis of United States Patent No. 1,454,917 to Barrett, United States Patent No. 857,663 to Osborn, and/or United States Patent No. 5,526,570 to Beetz et al. and, therefore, Applicant provides a discussion hereinbelow in order to distinguish new claims 29-39 in view of these specific prior art references.

New claim 29 is independent and specifies that the advancing means includes two pawls, one of which is biased by a spring toward the second jaw. Barrett, Osborn and Beetz et al., neither alone, nor in any combination, disclose or suggest such a structure. Thus, Applicant respectfully requests consideration and allowance of independent claim 29 as Applicant contends independent claim 29 is allowable over the prior art of record.


New claim 30 is independent and specifies that a pawl structure for advancing the second jaw includes a speed pawl which is biased toward the plurality of teeth of the second jaw by a spring, such that the speed pawl advances the second jaw when the handles are moved away from one another until the second jaw meets resistance with the workpiece, and such that the speed pawl idles against the teeth of the second jaw when the handles are moved away from one another after the second jaw meets resistance with the workpiece. Barrett, Osborn and Beetz et al., neither alone, nor in any combination, disclose or suggest such a structure. Thus, Applicant respectfully requests consideration and allowance of independent claim 30 as Applicant contends independent claim 30 is allowable over the prior art of record.

New claims 31-39 are all ultimately dependent on new independent claim 30. As Applicant contends new independent claim 30 is in condition for allowance, Applicant respectfully requests consideration and allowance of dependent claims 31-39.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the prior art of record. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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